

DEP-REF  
7

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Richard H. Harvey  
Serial No. : 09/721,806  
Filed : November 24, 2000  
For : METHOD AND APPARATUS FOR OPERATING A DATABASE  
Group Art Unit : 3613  
Examiner : S. R. Pannala

1185 Avenue of the Americas  
New York, N.Y. 10036

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**REQUEST FOR REFUND**

Sir:

A printout of the Deposit Account Statement for April 2007 for the firm of Cooper & Dunham LLP (Deposit. Acct. No. 03-3125) indicates that on April 9, 2007, the account was debited for \$200 relating to the above-identified application Serial No. 09/721,806. A copy of the Deposit Account Statement for April 2007 highlighted to show the debit in question is attached. It is believed that the \$200 fee corresponds to the "USPTO Sales Receipt for Accounting Date : 04/09/2007", a copy of which is also attached. This fee was apparently charged in response to a Response Pursuant to 37 C.F.R. 1.116 filed on April 2, 2007. Copies of pages 1 and 18 of the

I hereby certify that this paper is being deposited this date with the U.S. Postal Service as first class mail addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

*Richard F. Jaworski* *May 29, 2007*  
Richard F. Jaworski Date  
Reg. No. 33,515

Response are attached herewith (e.g., See page 18 of the Response).

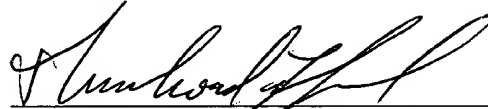
It is noted that pursuant to the Revocation of Attorney dated September 6, 2005 (copy attached), Cooper & Dunham LLP no longer represents this client. A copy of the Notice of Acceptance of Power of Attorney is also submitted herewith.

It is believed that the Cooper & Dunham LLP Deposit Account was erroneously charged this \$200 fee and that it should instead be charged to the new Firm of record, Baket Botts LLP (Deposit Account 02-0384).

Prompt correction of this error and a credit of \$200 to Deposit Account No. 03-3125 is respectfully requested.

Any questions regarding this Request may be addressed to the undersigned attorney.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Richard F. Jaworski', is written over a horizontal line.

RICHARD F. JAWORSKI

Reg. No. 33,515

Attorney for Applicant

Cooper & Dunham LLP

Tel.: (212) 278-0400



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Patent and  
Trademark Office

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**Deposit Account Statement**

Requested Statement Month: April 2007  
Deposit Account Number: 033125  
Name: COOPER & DUNHAM LLP  
Attention:  
Address: 1185 AVENUE OF THE AMERICAS  
City: NEW YORK  
State: NY  
Zip: 10036  
Country: UNITED STATES

DATE	SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
04/02	3	PCT/US07/05169	6206/74262-A-PCT	1602	\$700.00	\$49,709.00
04/02	5	PCT/US07/05169	6206/74262-A-PCT	8007	\$40.00	\$49,669.00
04/02	3	10236217	2271/68004	1202	\$100.00	\$49,569.00
04/02	55	11729048	1166/76125	1202	[-\$200.00]	\$49,769.00
04/02	58	11729048	1166/76125	1201	[\$200.00]	\$49,569.00
04/03	98	10062308	77335/JPW/JSW	8001	\$39.00	\$49,530.00
04/03	191	11549347	2587/76687	8021	\$40.00	\$49,490.00
04/03	82	11657784	77444/JPW/ICH	8021	\$40.00	\$49,450.00
04/03	84	11528237	72193-A/JPW/GAG	8021	\$40.00	\$49,410.00
04/03	68	10213579	2271/67893	8001	\$15.00	\$49,395.00
04/03	149	PCT/US07/004884	75212-PCT/JPW/YC	8021	\$40.00	\$49,355.00
04/03	749	60903067	76073/CCD/RSM	8021	\$40.00	\$49,315.00
04/04	1	10421614	69335 CCD	1201	\$1,000.00	\$48,315.00
04/04	36	11549347	2587/76687/RDK	2251	\$60.00	\$48,255.00
04/04	37	11549347	2587/76687/RDK	2051	\$65.00	\$48,190.00
04/04	38	11649587	2587/77337	2051	\$65.00	\$48,125.00
04/04	27	5958409	1481/65024-PCT-US	9204	-\$1,150.00	\$49,275.00
04/05	335	11664309	1175/77716	8021	\$40.00	\$49,235.00
04/05	215	2504176	1922/26568/NHZ	8521	\$40.00	\$49,195.00
04/05	216	2504176	1922/26568/NHZ	8522	\$100.00	\$49,095.00
04/05	1	11506772	0198-25047.NP	1251	-\$120.00	\$49,215.00
04/05	10	78457079	2392-72677	7001	-\$670.00	\$49,885.00
04/05	11	78457079	2392-72677	7001	\$335.00	\$49,550.00
04/05	12	78978376	2392-72677	7001	\$335.00	\$49,215.00
04/06	521	77149852	2257-77301A	7001	\$325.00	\$48,890.00
04/06	9	10666486	1784/53661-AA	1254	\$100.00	\$48,790.00
04/06	1386	77150352	0706/77726	7001	\$325.00	\$48,465.00
04/06	1547	77150437	6729/77635/NHZ	7001	\$325.00	\$48,140.00
04/06	187	09464902	57906-AJPW/S	8001	\$39.00	\$48,101.00
04/09	5	09721806	063170.6600-655/63676	1201	\$200.00	\$47,901.00 - closed
04/09	89	09767578	55099-B/JPW/KRD	8001	\$39.00	\$47,862.00
04/09	13	1990095	6743/66440	6205	\$100.00	\$47,762.00
04/10	40	11726942	77383/JPW/CH	8021	\$40.00	\$47,722.00

ENTD APR 30 2007

ATTORNEY DOCKET NO.:  
063170.6600

PATENT APPLICATION  
09/721,806

1



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

re application of: Richard H. Harvey  
Serial No.: 09/721,806  
Filing Date: November 24, 2000  
Art Unit: 2164  
Confirmation No.: 3613  
Examiner: Sathyanaraya R. Pannala  
Title: *A METHOD AND APPARATUS  
FOR OPERATING A DATABASE*

**Mail Stop AF**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**RESPONSE PURSUANT TO 37 C.F.R. § 1.116**

In response to the Final Office Action mailed January 31, 2007, Applicant respectfully requests the Examiner to reconsider the rejection of the claims in view of the comments set forth below.

**CONCLUSION**

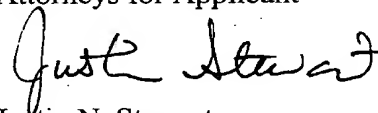
Applicant has made an earnest attempt to place this case in condition for allowance. For the foregoing reasons and for other reasons clearly apparent, Applicant respectfully requests reconsideration and full allowance of all pending claims.

If there are matters that can be discussed by telephone to further the prosecution of this Application, Applicant invites the Examiner to call the undersigned attorney at (214) 953-6755 at the Examiner's convenience.

Although no fees are believed due for this response, the Commissioner is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,

BAKER BOTTS L.L.P.  
Attorneys for Applicant



Justin N. Stewart  
Reg. No. 56,449

Date: April 2, 2007

**Correspondence Address:**

at Customer No. **05073**

Document code: WFEE

United States Patent and Trademark Office  
Sales Receipt for Accounting Date: 04/09/2007

JGAYNOR SALE #00000004 Mailroom Dt: 04/02/2007 033125 09721806  
01 FC : 1201 200.00 DA

ATTORNEY DOCKET NUMBER  
(063170.6600)

PATENT APPLICATION  
Serial No. 09/721,806

2

I hereby revoke all prior powers of attorney in the subject application and appoint the following as principal attorneys with full power to prosecute this application and transact all business in the United States Patent and Trademark Office connected therewith:

I hereby appoint: Kevin J. Meek, Esq., and

Practitioners at Customer Number **05073**

all of the firm of Baker Botts L.L.P., my attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith, and to file and prosecute any international patent applications filed thereon before any international authorities.

Please address all correspondence to the following:

Kevin J. Meek, Esq.

at the above-mentioned Customer No.

Please direct all phones calls to the following:

Kevin J. Meek, Esq.

Direct: (214) 953-6680

I, Barbara Boland, Secretary of Computer Associates Think, Inc., a Delaware corporation, am empowered to sign this certificate on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

DAL01:867405.1

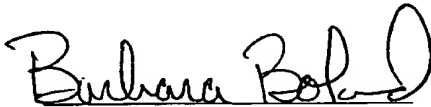
ATTORNEY DOCKET NUMBER  
(063170.6600)

PATENT APPLICATION  
Serial No. 09/721,806

3

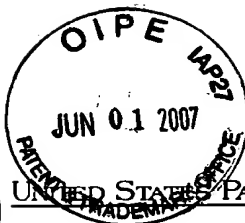
Computer Associates Think, Inc.

8/31/05  
Date

By:   
Barbara Boland  
Secretary

DAL01:867405.1





UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
09/721,806	11/24/2000	Richard Hans Harvey	0655/63676

RICHARD F. JAWORSKI  
 Cooper & Dunham LLP  
 1185 Avenue of the Americas  
 New York, NY 10036

CONFIRMATION NO. 3613



\*OC000000017049689\*

Date Mailed: 09/19/2005

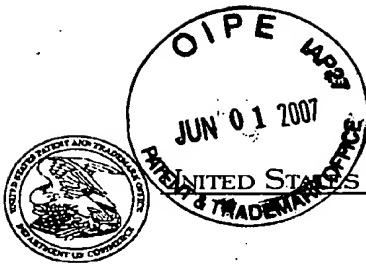
## NOTICE REGARDING CHANGE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 09/06/2005.

- The Power of Attorney to you in this application has been revoked by the assignee who has intervened as provided by 37 CFR 3.71. Future correspondence will be mailed to the new address of record(37 CFR 1.33).

  
 MENBE STEPHANOS  
 PTOSS 0-

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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
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 www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
09/721,806	11/24/2000	Richard Hans Harvey	063170.6600

05073  
 BAKER BOTTS L.L.P.  
 2001 ROSS AVENUE  
 SUITE 600  
 DALLAS, TX 75201-2980

CONFIRMATION NO. 3613



\*OC000000017049732\*

Date Mailed: 09/19/2005

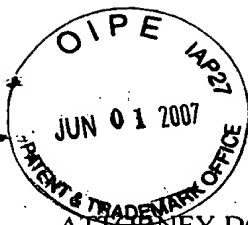
**NOTICE OF ACCEPTANCE OF POWER OF ATTORNEY**

This is in response to the Power of Attorney filed 09/06/2005.

The Power of Attorney in this application is accepted. Correspondence in this application will be mailed to the above address as provided by 37 CFR 1.33.

  
 MENBE STEPHANOS  
 PTOSS 0-

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21762W

ATTORNEY DOCKET NUMBER  
(063170.6600)

PATENT APPLICATION  
Serial No. 09/721,806

1



MAIL DATE CANCELLED

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Richard Hans Harvey  
Serial No.: 09/721,806  
Filing Date: 11/24/2000  
Examiner: Sathyanaraya R. Pannala  
Conf. No.: 3613  
Art Unit: 2176  
Title: Method and Apparatus for Operating a Database

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

REVOCATION OF ATTORNEY AND APPOINTMENT  
OF NEW ATTORNEYS FOR NON-PROVISIONAL APPLICATION, WITH  
CERTIFICATE UNDER 37 C.F.R. 3.73(b)

Computer Associates Think, Inc., a Delaware corporation, certifies that it is the assignee in the patent application identified above by virtue of a chain of title from the inventors, of the patent application identified above, to the current assignee as shown below:

From: Richard Hans Harvey  
To: Computer Associates Think, Inc.  
Assignment recorded at Reel 011925, Frame 0775, on June 21, 2001

DAL01:867405.1

09/721806

PTO/SB/06 (12-04)

Approved for use through 7/31/2006. OMB 0851-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PATENT APPLICATION FEE DETERMINATION RECORD					Application or Docket Number	
Substitute for Form PTO-875						
<b>APPLICATION AS FILED - PART I</b>						
(Column 1)		(Column 2)		SMALL ENTITY		OR
OTHER THAN SMALL ENTITY						
FOR	NUMBER FILED	NUMBER EXTRA	RATE (\$)	FEE (\$)	RATE (\$)	FEE (\$)
BASIC FEE (37 CFR 1.16(a), (b), or (c))						
SEARCH FEE (37 CFR 1.16(a), (b), or (m))						
EXAMINATION FEE (37 CFR 1.16(a), (p), or (q))						
TOTAL CLAIMS (37 CFR 1.16(j))	minus 20 =		X	=	X	=
INDEPENDENT CLAIMS (37 CFR 1.16(n))	minus 3 =		X	=	X	=
APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).					
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))						
* If the difference in column 1 is less than zero, enter "0" in column 2.						
TOTAL						
<b>APPLICATION AS AMENDED - PART II</b>						
(Column 1)		(Column 2)	(Column 3)	SMALL ENTITY		OR
OTHER THAN SMALL ENTITY						
AMENDMENT A	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)	RATE (\$)
Total (37 CFR 1.16(j))	13	31	/	X 25 =		X 50 =
Independent (37 CFR 1.16(n))	6	10	/	X 100 =		X 200 =
Application Size Fee (37 CFR 1.16(s))						
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))						
TOTAL ADD'L FEE						
4.2.07						
(Column 1)		(Column 2)	(Column 3)	SMALL ENTITY		OR
OTHER THAN SMALL ENTITY						
AMENDMENT B	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)	RATE (\$)
Total (37 CFR 1.16(j))	31	31	0	X 25 =		X 50 =
Independent (37 CFR 1.16(n))	11	10	1	X 100 =		X 200 =
Application Size Fee (37 CFR 1.16(s))						
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))						
TOTAL ADD'L FEE						
<p>* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.</p> <p>** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".</p> <p>*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".</p> <p>The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.</p>						

This collection of information is required by 37 CFR 1.16. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

09/721806

PTO/SB/06 (12-04)

Approved for use through 7/31/2008. OMB 0651-0032

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875					Application or Docket Number	
<b>APPLICATION AS FILED – PART I</b>						
(Column 1)		(Column 2)		SMALL ENTITY		OR
FOR	NUMBER FILED	NUMBER EXTRA	RATE (\$)	FEE (\$)		
BASIC FEE (37 CFR 1.18(a), (b), or (c))						
SEARCH FEE (37 CFR 1.18(a), (f), or (m))						
EXAMINATION FEE (37 CFR 1.18(a), (p), or (q))						
TOTAL CLAIMS (37 CFR 1.18(j))		minus 20 =	x	=	OR	x
INDEPENDENT CLAIMS (37 CFR 1.18(h))		minus 3 =	x	=	OR	x
APPLICATION SIZE FEE (37 CFR 1.18(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.18(s).					
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))						
* If the difference in column 1 is less than zero, enter "0" in column 2.			TOTAL		TOTAL	
<b>APPLICATION AS AMENDED – PART II</b>						
(Column 1)		(Column 2)	(Column 3)	SMALL ENTITY		OR
AMENDMENT A	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)	
Total (37 CFR 1.16(b))	13	Minus 31	=	x 25 =		OR
Independent (37 CFR 1.16(h))	6	Minus 10	=	x 100 =		OR
Application Size Fee (37 CFR 1.16(s))						OR
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))						OR
			TOTAL ADD'L FEE		TOTAL ADD'L FEE	
(Column 1)		(Column 2)	(Column 3)	SMALL ENTITY		OR
AMENDMENT B	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)	
Total (37 CFR 1.16(b))	31	Minus 31	=	x =		OR
Independent (37 CFR 1.16(h))	10	Minus 10	=	x =		OR
Application Size Fee (37 CFR 1.16(s))						OR
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))						OR
			TOTAL ADD'L FEE		TOTAL ADD'L FEE	

\* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.  
 \*\* If the "Highest Number Previously Paid For" in THIS SPACE is less than 20, enter "20".  
 \*\*\* If the "Highest Number Previously Paid For" in THIS SPACE is less than 3, enter "3".  
 The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

This collection of information is required by 37 CFR 1.16. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.